



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 24, 2011

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Sign Ordinance Revisions

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 22.70.020 and 22.70.030 of the Santa Barbara Municipal Code Relating to Sign Regulations.

DISCUSSION:

Background

Staff has proposed that the Santa Barbara Municipal Code (SBMC) Chapter 22.70 (Sign Regulations) be updated to address new sign technology, such as digital display signs, which are not defined in the current ordinance. On October 12 and November 9, 2010, the Ordinance Committee reviewed various proposed amendments to the City's Sign Regulations. On March 15, 2011, City Council introduced the majority of those revisions and subsequently adopted them on April 12, 2011. At the March 15, 2011 meeting, Council directed staff to return with a separate ordinance to allow certain digital display signs, integrated into gasoline pumps, as a new type of sign exempt from Sign Committee review.

Proposed Revisions

In order to stay current with this new technology, staff proposed to add a definition of "digital display" sign to SBMC Chapter 22.70.

The general concern with digital display signs is that they may detract from the aesthetic quality of Santa Barbara and potentially conflict with the intent of the Sign Regulations in that signs "should serve primarily to identify an establishment, organization or enterprise," and, "as identification devices, signs must not subject the citizens of the City to excessive competition for their visual attention." In addition, digital displays that include audio may contribute to overall noise levels at the sign site and beyond, for example if they can be

heard from the public sidewalk or within a vehicle stopped at an adjacent intersection. Digital display signs and similar video devices are currently prohibited by SBMC §22.70.030.C.6., as they move, flash, change, reflect, etc.

On March 15, 2011, the majority of Council determined that digital display signs should be permissible at gas stations. Gas stations would be exempt given the unique nature of this type of business, in that the product is sold outdoors, and given that the intent of this particular type of sign is not to draw people into the site, but rather to communicate with existing customers already on the property to purchase gas.

During the discussion on March 15th, some Councilmembers suggested that the specifications of the existing digital displays at gas stations be used to develop the ordinance standard. Pursuant to Council's direction, Staff is proposing ordinance language that reflects the current digital display installations at three gas stations in the City. As proposed, in order to be exempt from review by the Sign Committee, digital display signs must be integrated into the gasoline pump, be no more than 24" in size, and be located at least 25 feet from residentially-zoned property. Staff also proposes that the signs not exceed the luminance level of the current digital displays, which is 1200 nits.

Representatives of Pumpflix informed staff that a future generation of digital displays would be larger (26" screen size) and brighter (1500 nits) than the current installations. Given that the current installations did not generate complaints until very recently (when more than 15 complaints were received), staff is recommending that the regulations reflect the visual specifications of the current installations, rather than an unknown larger and brighter digital display. We have discussed the proposed standards with the Pumpflix representatives and expect they may request less restrictive standards to accommodate the next generation of displays.

The City Attorney's office has advised that, as a practical matter, making a distinction for digital signs based on their volume levels at a property line would not be an enforceable or appropriate distinction to attempt to draft into the Sign Ordinance. Therefore, the ordinance provides that the audio related to digital display signs be limited to 65 decibels, measured at the source, during the day and 55 decibels at night, and that a button be provided for each sign that would allow customers to mute the audio for the duration of their visit (estimated to be four minutes). Other than the required mute button, this standard is generally reflective of the current installations, as the sign operators currently reduce the audio level of the display in the evening hours.

Staff would like to note that it still has concerns with our ability to enforce any sign regulations that require specialized equipment to verify compliance, such as luminance or decibel level. From an enforcement standpoint, we believe that these signs should instead be regulated through screen size and location restrictions, such as those contained in the proposed regulations, and ideally the complete absence of audio, which would require amendment of the proposed regulations.

BUDGET IMPACT:

No significant expenditures are required to implement these revisions. Sign Ordinance clarifications will increase efficiencies in sign enforcement, which is helpful given recent reductions in Planning Division staffing levels dedicated to the enforcement program.

PREPARED BY: Renee Brooke, Zoning & Enforcement Supervisor

SUBMITTED BY: Paul Casey, Assistant City Administrator/ Community Development Director

APPROVED BY: City Administrator's Office